

**SUPREME COURT MINUTES  
THURSDAY, SEPTEMBER 3, 2009  
SAN FRANCISCO, CALIFORNIA**

**S156598**      B201396 Second Appellate District, Div. 3      **BROWN, WINFIELD &  
CANZONERI, INC. v. S.C.  
(GREAT AMERICAN  
INSURANCE COMPANY)**

Supplemental briefing ordered

At oral argument in the above-captioned case, the court will be interested to hear the parties' views concerning whether a trial court must afford notice and an opportunity to be heard prior to reconsidering an interim ruling in response to a suggestive Palma notice. (See, e.g., *Le Francois v. Goel* (2005) 35 Cal.4th 1094.)

The parties and amicus curie Academy of Appellate Lawyers are further invited to serve and file, at their discretion, supplemental letter briefs addressing this issue, on or before September 21, 2009.

**S167791**      C054124 Third Appellate District      **MARTINEZ (ROBERT) v.  
REGENTS OF THE  
UNIVERSITY OF  
CALIFORNIA**

Application to file over-length brief granted

The application of respondents for permission to file an over-length reply brief is granted.

**S112691**      **PEOPLE v. WESTERFIELD  
(DAVID ALAN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to October 30, 2009.

**S138147**      **SMITH (GREGORY SCOTT)  
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Susan Sullivan Pithey's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by November 11, 2009, counsel's request for an extension of time in which to file that document is granted to November 12, 2009. After that date, no further extension is

contemplated.

**S166350**      D049331 Fourth Appellate District, Div. 1      **BRINKER RESTAURANT  
CORPORATION v. S.C.  
(HOHNBAUM)**

Extension of time granted

On application of petitioners and good cause appearing, it is ordered that the time to serve and file the consolidated answer to amicus curiae briefs is extended to October 8, 2009.

**S168666**      **CHILDRESS (DANIEL) ON  
H.C.**

Extension of time granted

On application of Respondent and good cause appearing, it is ordered that the time to serve and file the Informal Response is extended to October 8, 2009.

**S171117**      A120430 First Appellate District, Div. 5      **PEOPLE v. S.C. (PEARSON)**  
Extension of time granted

On application of real party in interest and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to October 12, 2009.

**S175324**      B217759 Second Appellate District, Div. 4      **JACKSON (DARRELL LYNN)  
ON H.C.**

Extension of time granted

On application of Darrell Lynn Jackson, Petitioner and good cause appearing, it is ordered that the time to serve and file the reply to the answer to petition for review and the response to the motion to dismiss is extended to September 4, 2009.

**S175620**      B207571 Second Appellate District, Div. 8      **YEAGER (DEBORAH DUNN)  
v. BLUE CROSS OF  
CALIFORNIA, INC.**

Extension of time granted

On application of Blue Cross of California, Defendant and Appellant and good cause appearing, it is ordered that the time to serve and file the Response to Request for Depublication is extended to September 8, 2009.

**S174342****HOROWITZ ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that EDWARD HOLLAND HOROWITZ, State Bar Number 135566, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys.

EDWARD HOLLAND HOROWITZ must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S174343****HOOVER ON DISCIPLINE**

Recommended discipline imposed

The court orders that STEVEN GEORGE HOOVER, State Bar Number 57345, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. STEVEN GEORGE HOOVER is suspended from the practice of law for the first 30 days of probation;
2. STEVEN GEORGE HOOVER must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 29, 2009; and
3. At the expiration of the period of probation, if STEVEN GEORGE HOOVER has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

STEVEN GEORGE HOOVER must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for the years 2010 and 2011. If STEVEN GEORGE HOOVER fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S174345****KEITH ON DISCIPLINE**

Recommended discipline imposed

The court orders that BRIAN MALCOLM KEITH, State Bar Number 145934, is suspended from the practice of law in California for four years, execution of that period of suspension is stayed, and he is placed on probation for four years subject to the following conditions:

1. BRIAN MALCOLM KEITH is suspended from the practice of law for a minimum of the first three years of probation, and he will remain suspended until the following requirement is satisfied:
  - i. BRIAN MALCOLM KEITH must provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. BRIAN MALCOLM KEITH must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its decision filed on December 12, 2008, as modified by its order filed January 27, 2009.
3. At the expiration of the period of probation, if BRIAN MALCOLM KEITH has complied with all conditions of probation, the four-year period of stayed suspension will be satisfied and that suspension will be terminated.

BRIAN MALCOLM KEITH must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

BRIAN MALCOLM KEITH must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S174346****REEDY ON DISCIPLINE**

Recommended discipline imposed

The court orders that MICHAEL LONDON REEDY, State Bar Number 209653, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, subject to the following conditions:

1. MICHAEL LONDON REEDY is suspended from the practice of law for a minimum of two years, and he will remain suspended until the following requirements are satisfied:
  - i. The State Bar Court grants a motion to terminate his suspension pursuant to rule 205 of the Rules of Procedure of the State Bar. MICHAEL LONDON REEDY must comply with the conditions of probation, if any, imposed by the State Bar Court as a condition for terminating his suspension; and
  - ii. MICHAEL LONDON REEDY must also provide proof to the State Bar Court of his

rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)

MICHAEL LONDON REEDY must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

MICHAEL LONDON REEDY must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S174347****PANZER ON DISCIPLINE**

Recommended discipline imposed

The court orders that WILLIAM G. PANZER, State Bar Number 128684, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. WILLIAM G. PANZER must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on January 15, 2009; and
2. At the expiration of the period of probation, if WILLIAM G. PANZER has complied with the terms of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

WILLIAM G. PANZER must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for the years 2010, 2011, and 2012. If WILLIAM G. PANZER fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately unless relief has been granted.

**S174349****GIRARDIN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that PHILIP JOSEPH GIRARDIN, State Bar Number 142664, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

PHILIP JOSEPH GIRARDIN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S174350****HASTERT ON DISCIPLINE**

Recommended discipline imposed

The court orders that THOMAS JOHN HASTERT, State Bar Number 143101, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. THOMAS JOHN HASTERT is suspended from the practice of law for the first 90 days of probation;
2. THOMAS JOHN HASTERT must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on November 13, 2008; and
3. At the expiration of the period of probation, if THOMAS JOHN HASTERT has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

THOMAS JOHN HASTERT must take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

THOMAS JOHN HASTERT must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S175873****NELSON ON RESIGNATION**

Resignation declined

Having considered the request, the court declines to accept the voluntary resignation of RICHARD THOMAS NELSON, State Bar Number 189484, as a member of the State Bar of California. (Cal. Rules of Court, rule 9.21(d).)

**S175876**

**KONTOS ON RESIGNATION**

Resignation declined

Having considered the request, the court declines to accept the voluntary resignation of TOM GEORGE KONTOS, State Bar Number 44539, as a member of the State Bar of California. (Cal. Rules of Court, rule 9.21(d).)